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17 *Attorneys for Plaintiff DAVID TOURGEMAN*

18 **UNITED STATES DISTRICT COURT**

19 **SOUTHERN DISTRICT OF CALIFORNIA**

20 DAVID TOURGEMAN, on Behalf of Himself) Case No. 08-CV-1392-JLS (NLS)
21 and All Others Similarly Situated,)
22 Plaintiff,) **PROOF OF SERVICE**
23 vs.)
24 COLLINS FINANCIAL SERVICES, INC.,)
25 a Texas corporation; NELSON & KENNARD,)
26 a California partnership; DELL FINANCIAL)
27 SERVICES, L.P., a Delaware limited)
28 partnership; CIT FINANCIAL USA, INC.,)
29 a Delaware corporation; and DOES 1 through)
30 10, inclusive,)
31 Defendants.)

32 I am employed in the County of San Diego. I am over the age of eighteen (18) years and am not
33 a party to the within entitled action. My business address is 501 West Broadway, Suite 1720,
34 San Diego, CA 92101.

35 On March 5, 2010, I served a copy of the following document:

36 1) **NOTICE OF MOTION AND MOTION TO COMPEL FURTHER RESPONSES TO**
37 **DISCOVERY REQUESTS AND FOR SANCTIONS;**

- 1 **2) PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT**
- 2 **OF MOTION TO COMPEL FURTHER RESPONSES TO DISCOVERY REQUESTS**
- 3 **AND FOR SANCTIONS;**
- 4
- 5 **3) PLAINTIFF DAVID TOURGEMAN'S SEPARATE STATEMENT OF MATERIAL**
- 6 **FACTS IN SUPPORT OF HIS MOTION TO COMPEL FURTHER RESPONSES TO**
- 7 **REQUESTS FOR PRODUCTION OF DOCUMENTS AND INTERROGATORIES**
- 8 **TO DEFENDANT COLLINS FINANCIAL SERVICES, INC.;**
- 9
- 10 **4) PLAINTIFF DAVID TOURGEMAN'S SEPARATE STATEMENT OF MATERIAL**
- 11 **FACTS IN SUPPORT OF HIS MOTION TO COMPEL FURTHER RESPONSES TO**
- 12 **REQUESTS FOR PRODUCTION OF DOCUMENTS AND INTERROGATORIES**
- 13 **TO DEFENDANT NELSON & KENNARD; and**
- 14
- 15 **5) DECLARATION OF BRETT M. WEAVER IN SUPPORT OF PLAINTIFF'S**
- 16 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION**
- 17 **TO COMPEL FURTHER RESPONSES TO DISCOVERY REQUESTS AND FOR**
- 18 **SANCTIONS.**

12 X [BY ELECTRONIC ACCESS] I hereby certify that the foregoing documents were filed
13 electronically with the Clerk of the Court to be served by operation of the Court's electronic
14 filing system upon all parties on the electronic service list maintained for this case.

15 I declare under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct.

17 Executed on March 5, 2010, at San Diego, California.

18

19 *s/ Brett M. Weaver*
20 BRETT M. WEAVER